

FMSI-24,440



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PATENT

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Received

In re application of: Peter G. Jacoves, William Y. Hall,

Karla J. Mains, and Charles H. Naul

Serial No.: 09/183,791

Filed: 10/30/98

Group:

For: FUEL REWARD PROGRAM SYSTEM

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, DC 20231 on 5/17/99 (Date of Deposit)

Gregory M. Howison (Name of Person Mailing Document)

(Signature) 5/17/99 (Date of Signature)

JUN 14 1999
Director's Office
Group 2700

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

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MAY 20 1999

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MAY 17 1999
OFFICE OF PETITIONS
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Dear Sir:

PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT
UNDER (37 C.F.R. §1.102(c))

This is a Petition to Make Special the above-identified patent application. The grounds and conditions for granting this application special status are found in MPEP 708.02 VIII entitled Special Examining Procedure for Certain New Applications --Accelerated Examination.

Pursuant to 37 CFR 1.102(d), and as provided for in MPEP 708.02 II, a fee is required and accompanies this application in the amount \$130, according to 37 C.F.R. 1.17(i).

Applicants hereby agree to restrict the claims to a single invention without traverse, if so requested.

Applicants agree to this special examining procedure detailed therein in support of this petition. Applicants submit a declaration of Gregory M. Howison alleging:

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- (a) that there is an infringing device or product actually on the market or method in use;
- (b) that a rigid comparison of the alleged infringing device, product or method with the claims of the application has been made, and that in his opinion, some of the claims are unquestionably infringed; and
- (c) that he has made or caused to be made a careful and thorough search of the prior art.

As provided for in MPEP 708.02 VIII, Applicants further submit in the same declaration of Gregory M. Howison:

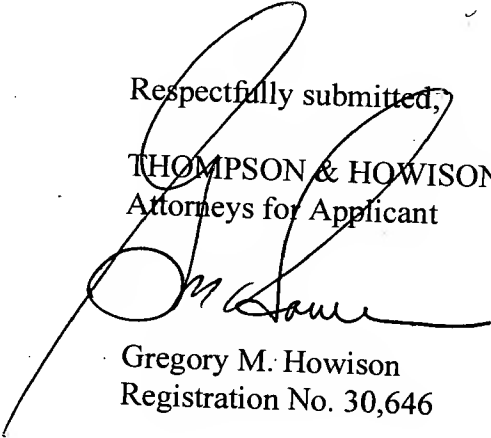
- (a) that a pre-examination search was made, and provided a listing of the field of search by class and subclass;
- (b) that a detailed discussion of the references, which discussion points out with particularity required by 37 CFR 1.111(b) and (c), how the subject matter is distinguished over the references; and
- (c) that one copy of each of the references deemed most closely-related to the subject matter encompassed by the claims are submitted.

Accordingly, Applicants request this Petition to Make Special be granted and the application undergo accelerated examination.

Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780 File No. FMSI 24,440 of THOMPSON & HOWISON, L.L.P. A duplicate copy of this Petition is enclosed.

Respectfully submitted,

THOMPSON & HOWISON, L.L.P.
Attorneys for Applicant


Gregory M. Howison
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GMH/svp
Enclosure
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